**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/658,351
	Filing Date	September 8, 2003
	First Named Inventor	Anthony H. JAMES
	Art Unit	1646
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	39262/287705

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Form PTO/SB/08 (2 sheets) 2. 28 publications
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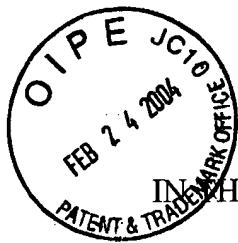
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
)
Anthony H. JAMES, et al.)
)
Serial No.: 10/658,351) Art Unit: 1646
)
Filed: September 8, 2003) Examiner: Unknown
)
For: ORTHOPAEDIC IMPLANT AND)
SCREW ASSEMBLY)

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Attorney Docket No. 39262/287705

Date: February 19, 2004

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with Rules 56, 97 and 98 of the Rules of Practice in Patent Cases (37 C.F.R. §§ 1.56, 1.97, and 1.98), the publications listed on the enclosed Form PTO/SB/08 are submitted for consideration by the Examiner. The Office has waived the requirement under 37 C.F.R. 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003.

Therefore, Applicants are not providing copies of the cited U.S. patents at this time.

Submission of the references provided in this Information Disclosure is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specially designated as such. Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made, or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

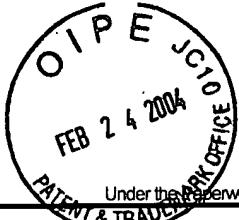
This Information Disclosure Statement is being filed before the issuance of a first office action on the merits of the application (37 C.F.R. 1.97(b)(3)); therefore, no fee is believed to be due. If a fee is due, the Commissioner is authorized to charge such fee and any additional fees that may be due or credit any overpayment to Deposit Account No. 11-0855.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. J. Turton', written over a horizontal line.

Michael J. Turton
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known

Application Number	10/658,351
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First Named Inventor	Anthony H. JAMES
Group Art Unit	1646
Examiner Name	
Attorney Docket Number	39262/287705

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U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		4,622,959	11/18/1986	Marcus	
		4,657,001	04/14/1987	Fixel	
		4,827,917	05/09/1989	Brumfield	
		4,978,349	12/18/1990	Frigg	
		5,032,125	07/16/1991	Durham, et al.	
		5,122,141	06/16/1992	Simpson, et al.	
		5,167,663	12/01/1992	Brumfield	
		5,176,681	01/05/1993	Lawes, et al.	
		5,312,406	05/17/1994	Brumfield	
		5,454,813	10/03/1995	Lawes	
		5,531,748	07/02/1996	De la Caffiniere	
		5,562,666	10/08/1996	Brumfield	
		5,573,536	11/12/1996	Grosse, et al.	
		5,591,168	01/07/1997	Judet, et al.	
		5,653,709	08/05/1997	Frigg	
		5,713,902	02/03/1998	Friedl	
		5,741,256	04/21/1998	Bresina	
		5,908,422	06/01/1999	Bresina	
		5,928,235	07/27/1999	Friedl	
		6,077,264	06/20/2000	Chemello	
		6,106,528	08/22/2000	Durham, et al.	
		6,123,708	09/26/2000	Kilpela, et al.	
		6,126,661	10/03/2000	Faccioli, et al.	
		6,221,074 B1	04/24/2001	Cole, et al.	
		6,228,086 B1	05/08/2001	Wahl, et al.	
		6,235,031 B1	05/22/2001	Hodgeman, et al.	
		6,322,591 B1	11/27/2001	Ahrens	
		2002/0032445 A1	03/14/2002	Fujiwara	
		6,406,477 B1	06/18/2002	Fujiwara	
		6,443,954 B1	09/03/2002	Bramlet, et al.	
		6,461,360 B1	10/08/2002	Adam	
		6,468,278 B1	10/22/2002	Muckter	
		2003/0004514 A1	02/02/2003	Frigg, et al.	
		6,524,314 B1	02/25/2003	Dean, et al.	
		6,533,789 B1	03/18/2003	Hall, IV, et al.	
		6,562,042 B2	05/13/2003	Nelson	
		2002/0156473 A1	10/24/2002	Bramlet, et al.	

Examiner Signature		Date Considered	
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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Complete if Known

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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		EP 586 824	03/16/1994	Europe		
		EP 1 273 271 A2	06/22/2002	Europe		Abstract
		EP 0 640 318 A1	03/01/1995	Europe		
		EP 0 355 411 A1	02/28/1990	Europe		
		EP 0 838 199 A1	04/29/1998	Europe		
		01175872 A2	01/30/2002	Europe		Abstract
		00715832 B1	01/02/2002	Europe		Abstract
		DE 197 23 339 C2	12/17/1998	Germany		
		WO 95/26688	10/12/1995	PCT		Abstract
		WO 97/08999	03/13/1997	PCT		
		WO 97/18769	05/29/1997	PCT		Abstract
		WO 01/56487	08/09/2001	PCT		
		WO 01/34045 A1	05/17/2002	PCT		
		WO 01/39679 A1	12/03/1999	PCT		Abstract
		WO 01/56487 A1	08/09/2001	PCT		
		WO 02/085219	10/31/2002	PCT		
		WO 03/015649 A1	02/27/2003	PCT		Abstract
		WO 03/022166 A1	03/20/2003	PCT		
		WO 03/028567	04/10/2003	PCT		
		WO 03/032852	04/24/2003	PCT		

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Brochure entitled "OR manual PLATON (tantum))) the medical people," 22 pages, August 2002	
		Web page entitled, The PLATON-Locking-Nail system, numerous improvements, » one page, 12/06/03	
		Web page entitled The PLATON-Locking-Nail system: Quality without compromise, two pages, 06/30/2003	
		Ballabarba, et al., Percutaneous Treatment of Peritrochanteric Fractures Using the Gamma Nail, <i>Clin. Ortho.</i> , 375:30-42 (June 2000)	
		Baixaui, et al., "A Reinforced Rigid Fixation Device for Unstable Intertrochanteric Fractures," <i>Clin. Ortho.</i> 1(361):205-215 (April 1999)	
		Elder, et al., "Biomechanical Evaluation of Calcium Phosphate Cement-Augmented Fixation of Unstable Intertrochanteric Fractures," <i>JOT</i> , 14(6):386-393 (August 2000)	
		Roberts, et al., Second Generation Intramedullary Nailing of Subtrochanteric Femur Fractures: A Biomechanical Study of Fracture Site Motion, <i>JOT</i> , 16(4) :231-238 (April 2002)	
		Robinson, et al., Implant-Related Fractures of the Femur Following Hip Fracture Surgery, <i>JBJS</i> , 84(7):1116 (2002)	

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SignatureDate
Considered